

REMARKS

Status of the Claims

Claims 1, 2, 4-7, 10-15, 17-19 and 22-32 were in the application.

Claims 1, 7, 15 and 30-32 have been subject to an election of species requirement.

By way of this amendment, new claims 33 and 34 have been added.

Upon entry of this amendment, claims 1, 2, 4-7, 10-15, 17-19 and 22-34 will be pending.

Election/Restrictions

The claims have been made subject of an election of species requirement. The Office has indicated that

claims 1, 7, 15, 30, 31, [and] 32, are generic to the following disclosed patentably distinct species: a). Pathogen [antigen], b). Cancer-associated antigen, c). autoimmune disease related cellular antigen.

In addition, the Office has indicated that

claims 7 [and] 15, are generic to the following disclosed patentably distinct species: 1). Fos, 2). c-jun, 3). Sp-1, 4). Ap-1, 5). Ap-2, 6). p38, 7). p65Rel, 8). MyD88, 9). IRAK, 10). TRAF6, 11). Ikb, 12). Inactive NIK, 13). SAP K, 14). SAP-1, 15). JNK, 16). interferon response genes, 17). NFkB, 18). Bax, 19). TRAIL, 20). TRAILrec, 21). TRAILrecDRC5, 22). TRAIL-R3, 23). TRAIL-R4, 24). RANK, 25). RANK LIGAND, 26). NKG2D, 27). MICA, 28). MICB, 29). NKG2A, 30). NKG2B, 31). NKG2C, 32). NKG2E, 33). NKG2F, 34). TAP1, and 35). TAP2.

(Office Action dated May 26, 2010, page 2).

Applicants elect that the immunogen species to be examined be “pathogen antigen”. Each of the pending claims 1, 2, 4-7, 10-15, 17-19 and 22-32 reads on this species.

Applicants elect that, as referred to in claims 7 and 15, the “immunomodulating protein” is selected from the group set out above be “TRAIL”.

Claims 10-12, 23, 25, 26, 28 and 31 and new claim 33 are directly or indirectly dependent on claim 7 and read on the elected species “TRAIL”

Claims 17-19, 24, 29 and 32 and new claim 34 are directly or indirectly dependent on claim 15 and read on the elected species "TRAIL"

Conclusion

Claims 1, 2, 4-7, 10-15, 17-19 and 22-34 are in condition for allowance. A notice of allowance is earnestly solicited. Applicants invite the Examiner to contact the undersigned at 610.640.7855 to clarify any unresolved issues raised by this response.

The Commissioner is hereby authorized to charge any deficiencies of fees and credit of any overpayments to Deposit Account No. 50-0436.

Respectfully submitted,

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